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Thirty-seventh session
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Agenda item 8

DRAFT REPORT

Rapporteur: Mrs. Sharon BRENNEN-HAYLOCK (Bahamas)

Addendum

PROGRAMME QUESTIONS: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1998-1999 (item 4 (a))

Section 6. Legal affairs

1. At its 26th meeting, on 30 June 1997, the Committee for Programme and Coordination considered section 6, Legal affairs, of the proposed programme budget for the biennium 1998-1999.

Discussion

2. Delegations expressed firm support for and reaffirmed the importance of the activities of the section. Some delegations also welcomed the streamlining of the Treaty Section through technological enhancement, which would improve the timeliness of publication of treaties.

3. In connection with subprogramme 4, Law of the sea and ocean affairs, several delegations, while taking note of the establishment of two new treaty organs, namely, the International Tribunal for the Law of the Sea and the International Seabed Authority, were greatly concerned about the considerable reductions in both human and financial resources proposed under the subprogramme. They felt that this subprogramme remained vital, taking into account, in particular, the increasing need of assistance to States on the implementation of the United Nations Convention on the Law of the Sea, and requested confirmation from the representative of the Secretary-General that the

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reduced resources proposed would be sufficient for the Secretariat to carry out the work programme during the biennium 1998-1999 as mandated by the General Assembly. Another delegation pointed to the imbalance in resources proposed under the subprogramme compared with other activities undertaken by the Office of Legal Affairs, where minimal reductions and increases were proposed. One delegation, while appreciating the redeployment of resources to other areas in view of changing structure, expressed the view that further reductions might be possible under the subprogramme. The Committee was informed that the establishment of the two new treaty organs mentioned above had resulted in a significant reduction of work under the subprogramme and that changes reflecting current needs were proposed following careful and thorough consideration of the mandates determined by the General Assembly. The Committee was assured that the Secretariat would be able to implement those mandates within the resources proposed.

4. One delegation referred to paragraph 4.18 of subprogramme 4.3, Progressive development and codification of international law, of the medium-term plan for the period 1998-2001, which set out a number of measures that the Codification Division must undertake in order to implement the activities requested by the General Assembly in its resolutions 49/60 and 50/53 on the Declaration on Measures to Eliminate International Terrorism. That delegation noted that there was no reference in paragraph 6.57 to activities related to measures to eliminate terrorism. In that connection, the delegation suggested adding the following sentence at the end of paragraph 6.57 of the programme narrative:

> "In connection with the first objective, the Division has responsibility for undertaking further work to implement General Assembly resolutions 49/60 and 50/53 on the Declaration on Measures to Eliminate International Terrorism and thus to follow up closely the implementation of paragraph 10 of the Declaration and to submit annual reports thereon."

5. One delegation noted with concern the increase in resources for programme support, which was not in line with the expressed wish of Member States to reduce resources under that component in the proposed programme budget. Another delegation questioned the number of meetings proposed for the States parties to the United Nations Convention on the Law of the Sea and felt that it could be reduced. One delegation sought clarification on the extent of activities in which the Office of Legal Affairs was involved in various areas such as procurement, the implementation of the new Code of Conduct, as outlined in paragraph 6.45 (a), and the legal advice provided regarding the administration of the International Tribunals for the Former Yugoslavia and Rwanda mentioned in paragraph 6.33.

6. Under subprogramme 1, one delegation noted the reclassification of the post of Deputy to the Legal Counsel to D-2 and the change of funding of the post from extrabudgetary resources to regular budget, and indicated that all mandated activities should be funded from the regular budget. The Committee was informed that the Office provided services to peacekeeping operations and other programmes of the Organization, such as the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA), which were funded from voluntary contributions, and that it was appropriate for those extrabudgetary programmes to reimburse the

Organization for services it provided. Another delegation queried the increase in the resources for travel under the same subprogramme. Another delegation noted the impact of the budget reductions during the biennium 1996-1997 on the implementation of mandated programmes under section 6 and expressed concern that, in view of the level of resources proposed for 1998-1999, the Office might continue to operate at the same low level as in the biennium 1996-1997. Another delegation, while appreciating the work of the Office and the quality and dedication of its staff, expressed the hope that, in the light of recent developments, the plan would be adjusted to reflect the completion of the convention on the non-navigational uses of international watercourses mentioned in paragraph 6.64 (b) (i).

7. One delegation underlined the importance of legal publications and requested clarification of the omission of any reference in paragraph 6.5 to the work undertaken by the Codification Division to update and publish the summaries of judgments, advisory opinions and orders of the International Court of Justice.

8. As regards the activities related to the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, one delegation emphasized the importance of seminars, practical courses and fellowships. That delegation suggested an increase in resources for those activities. The same delegation questioned, in particular, the absence of provision in paragraph 6.71 of travel subsidies for those purposes. Such provisions had been included in the programme budget for the biennium 1996-1997.

Conclusions and recommendations

9. The Committee decided to recommend to the General Assembly the approval of the programme narrative of section 6, Legal affairs, of the proposed programme budget for the biennium 1998-1999, subject to the following modification: in paragraph 6.58, after the word "Awards", the words "the dates of summaries of judgments, advisory opinions and orders of the International Court of Justice" should be inserted.

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Rapporteur: Mrs. Sharon BRENNEN-HAYLOCK (Bahamas)

Addendum

PROGRAMME QUESTIONS: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1998-1999 (item 4 (a))

Section 7. Policy coordination and sustainable development

1. At its 12th and 13th meetings, on 18 June 1997, the Committee considered section 7, Policy coordination and sustainable development, of the proposed programme budget for the biennium 1998-1999.

Discussion

2. Most delegations reaffirmed the special importance they attached to the United Nations activities in the economic and sustainable development areas. Several delegations referred to the Secretary-General's plans to restructure the work of the Organization in the economic and social areas and sought clarification regarding the impact that it might have on the programme of work, on the relevant departments and entities and on the resources to carry out the mandated activities. Many delegations stressed the need to allocate an adequate level of resources to those areas of the work of the Organization.

3. Several delegations expressed their satisfaction for the scope of activities and commended the information provided under the proposed programme of work described in section 7. A number of delegations noted that a balanced distribution of resources among the subprogrammes was provided.

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4. Many delegations reiterated their strong support for the programme of work under subprogramme 2, Advancement of women, and welcomed the proposed additional resources related to the Special Adviser to the Secretary-General on Gender Issues and Equality of Women. One delegation considered that incremental resources should be further justified. Some delegations requested clarification regarding the modalities of work and reporting between the Chief of the Department and the Special Adviser to the Secretary-General on Gender Issues and Equality of Women.

5. Some delegations felt that aspects of the programme of work such as the coordination capacity in the economic and social areas, follow-up to the Global Conference on the Sustainable Development of Small Island Developing States and non-governmental organizations were particularly important.

6. Some delegations emphasized the importance of the intergovernmental machinery serviced by the Department, and stressed in particular the need to provide full support for the servicing of the Commission on Sustainable Development.

7. One delegation suggested that at every session of the General Assembly the main debate should focus on a specially selected theme of high and long-term interest to Member States, with a view to adopting appropriate strategies and plans of action.

8. One delegation expressed concern about the content of the third sentence of paragraph 7.38. That delegation considered that the policy report of the Secretary-General should be prepared primarily on the basis of consultations with Member States. That delegation also considered that the other participants described in the above-mentioned paragraph could make some contribution.

9. One delegation proposed that the last sentence of paragraph 7.38 be deleted.

10. Another delegation proposed that, in the Spanish version:

(a) In paragraph 7.41 (a) (i) a. i., in the ninth line, the words "mentalidad y desarrollo" be replaced by the words "cultura y desarrollo";

(b) In paragraph 7.72, in the sixth line, the word "ecológicos" be replaced by "ambientales".

11. One delegation proposed that in paragraph 7.73, in the last sentence, the words "non-State actors" be deleted.

Conclusions and recommendations

12. The Committee recommended to the General Assembly that it approve the programme narrative of section 7, Policy coordination and sustainable development, of the proposed programme budget for the biennium 1998-1999, subject to further consideration as stated in paragraph 35 of the introduction.

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Addendum

PROGRAMME QUESTIONS: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1998-1999 (item 4 (a))

Section 8. Africa: New Agenda for Development

1. At its 13th meeting, on 18 June 1997, the Committee considered section 8, Africa: New Agenda for Development, of the proposed programme budget for the biennium 1998-1999.

Discussion

2. Several delegations stressed the priority attached to programme 6, Africa: New Agenda for Development, in the medium-term plan for the period 1998-2001 and expressed their support for the activities proposed under section 8. They expressed the view that the proposed resources under section 8 did not adequately address the needs of Africa and should be strengthened. Some delegations considered that the allocation of resources between subprogrammes did not fully reflect the present priorities within programme 6 and that increased resources should be allocated to subprogramme 2.

3. Several delegations emphasized the special role of the United Nations Special Initiative on Africa in galvanizing United Nations system efforts for the implementation of the United Nations New Agenda for the Development of Africa in the 1990s. In this context they were of the view that the activities proposed in the section, in particular those under subprogramme 1, did not adequately reflect the need for coordination with other programmes and

initiatives on African development. Others emphasized the role of the Special Coordinator for Africa and Least Developed Countries in the coordination of system-wide activities concerning Africa, as well as in global advocacy and mobilization of support for the development of Africa. Many delegations stressed the urgent need for better coordination at all levels between the United Nations New Agenda for the Development of Africa in the 1990s and the new Special Initiative.

4. Some delegations were concerned about the possible overlap and duplication between the activities proposed under subprogrammes 1 and 2, as well as with the activities of other institutions and programmes in Africa, in particular those operating within the framework of the System-wide Plan of Action for African Economic Recovery and Development and the United Nations Special Initiative on Africa.

5. Some delegations were of the view that in the forthcoming restructuring of the Secretariat, the activities under section 8 and the organizational units responsible for their implementation should continue to retain their distinct identity, in order to ensure full and timely implementation of programme 6. Other delegations expressed the view that those organizational units should be merged with other relevant organizational units of the Secretariat or consolidated under the umbrella of a high-level official of the Secretariat to be responsible for the implementation of all action programmes on African development.

6. Some delegations expressed their support for the activities of the Department of Public Information proposed under subprogramme 3. Other delegations expressed the view that the activities under subprogramme 3 should place more emphasis on highlighting national efforts in promoting African economic development. Yet others suggested that resources might be redistributed among the subprogrammes.

Conclusions and recommendations

7. The Committee recommended to the General Assembly that it approve the programme narrative of section 8, Africa: New Agenda for Development, of the proposed programme budget for the biennium 1998-1999, subject to further consideration as stated in paragraph 35 of the introduction.

8. The Committee also recommended that the element of South-South cooperation of the narrative of subprogramme 1 be fully implemented and reinforced.

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Addendum

PROGRAMME QUESTIONS: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1998-1999 (item 4 (a))

Section 9. Economic and social information and policy analysis

1. At its 24th meeting, on 27 June 1997, the Committee for Programme and Coordination considered section 9, Economic and social information and policy analysis, of the proposed programme budget for the biennium 1998-1999.

Discussion

2. Several delegations expressed their support for the programme and acknowledged the positive impact of the work of the Department for Economic and Social Information and Policy Analysis, especially in the areas of statistics and population, and the value of its publications, in particular to developing countries. Other delegations considered that some other areas of the programme of work of the Department overlapped the work of other organizations/offices inside and outside the United Nations system and were of the view that the ongoing restructuring should address that problem.

3. Some delegations considered that the level of resources was not adequate to cover the programme of work contained in the section. They were also concerned about the number of posts proposed for abolition or remaining vacant and the impact of this on the implementation of the programme of work. One delegation stated that in view of the ongoing restructuring of the United Nations, an increase in resources was not warranted. Some delegations expressed the hope

that the proposed restructuring of the economic departments would not be detrimental to the quality of the work to be carried out.

4. One delegation emphasized the need to expand the focus of the subprogramme on population. Another suggested that case-studies on positive and negative experiences with market reforms should be undertaken.

5. One delegation proposed a revision of the first sentence of paragraph 9.47 to read:

> "One major consequence of globalization and liberalization is that Governments can no longer manage their national economies without an understanding of developments in the world economy. Such developments should be taken into account by Governments in accordance with their national priorities."

Conclusions and recommendations

6. The Committee recommended to the General Assembly that it approve the programme narrative of section 9, Economic and social information and policy analysis, of the proposed programme budget for the biennium 1998-1999, subject to further consideration as stated in paragraph 35 of the introduction.